

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed September 24, 2009. At the time of the Office Action, Claims 1-24 were pending in this Application. Claims 1-24 were rejected. Claims 1, 10, 11, 18, and 19 are herein amended, and Claim 8 is herein cancelled without prejudice or disclaimer. Applicant respectfully requests reconsideration and favorable action in this case.

Rejections under 35 U.S.C. § 112

Claims 10-16 and 20-22 were rejected by the Examiner under 35 U.S.C. §112, second paragraph, as being indefinite and failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended Claims 10, 11, and 19 to overcome these rejections and respectfully requests that the rejections under 35 U.S.C. §112, second paragraph be withdrawn.

All Pending Claims are Allowable over *Fitzner*.

Claims 1-8 were rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by German Patent No. 19714487 issued to Johannes Fitzner et al. ("*Fitzner*").

However, the Examiner indicated that dependent Claims 9-24 contain allowable subject matter (after addressing the rejections under 35 U.S.C. §112, second paragraph, discussed above).

Accordingly, Applicant has rewritten Claim 18 (which depended directly from Claim 1) as an independent claim including all limitations of Claim 1. Thus, Applicant respectfully requests allowance of independent Claims 18 and all claims that depend therefrom.

In addition, Applicant has amended Claim 1 to recite "an anti-rotation device including a *first structure of the first bush element configured to interact with a second structure of the second bush element to retain a predetermined angular position* between the first bush element and the second bush element, *regardless of whether the piezoactuator is present in the reception bush.*"

Fitzner does not teach these limitations. The Examiner argues that *Fitzner* teaches a close fit between piezoactuator pins 3 and corresponding holes in cover 8, the connection serves as an anti-rotation device. (Office Action, pages 2-3). Thus, interaction between the piezoactuator pins 3 and the cover 8 prevents rotation of the cover 8. Applicant has thus clarified in Claim 1 that Applicant's anti-rotation function in system is provided by an *interaction between the two bush elements*, and not between the bush elements and the piezoactuator housed in the bush elements. As a result, Applicant's anti-rotation device operates *regardless of whether the piezoactuator is present in the bush elements*, unlike *Fitzner's* alleged anti-rotation function, which is provided only when the piezoactuator is present in the housing.

For at least these reasons, amended Claim 1 is allowable over *Fitzner*. Accordingly, Applicant respectfully requests reconsideration and allowance of amended Claim 1, as well as all claims that depend from Claim 1.

CONCLUSION

Applicant has made an earnest effort to place this case in condition for allowance in light of the remarks set forth above. Applicant respectfully requests reconsideration of the pending claims.

Applicant believes there are no fees due at this time. However, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-4871 of King & Spalding L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicant's attorney at 512-457-2030.

Respectfully submitted,
KING & SPALDING LLP
Attorney for Applicant

EM Grabski

Eric M Grabski
Registration No. 51,749

Date: 12/22/09

SEND CORRESPONDENCE TO:
KING & SPALDING L.L.P.
CUSTOMER ACCOUNT NO. **86528**
512-457-2030
512-457-2100 (fax)